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Fourth session
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Agenda item 5

STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR
THE WORLD CONFERENCE

Note by the Secretariat

Addendum

The attention of the Preparatory Committee is drawn to a document of the forty-ninth session of the Commission on Human Rights (E/CN.4/1993/23/Add.2) which contains "The Istanbul Declaration of the International Rehabilitation Council for Torture Victims".



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Preparatory Committee
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STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

Note by the secretariat

Addendum

Contribution submitted by the Committee on the Elimination of Discrimination against Women

The attention of the Preparatory Committee is drawn to the attached contribution from the Committee on the Elimination of Discrimination against Women (CEDAW). The Chairwoman of that Committee has, in the following letter, invited the attention of the Preparatory Committee to the discussions of, and the documents adopted by CEDAW during its twelfth session, held at Vienna from 18 January to 5 February 1993:

"In its suggestion No. 4, CEDAW recognizes the efforts made by the United Nations to promote respect for the individual rights and fundamental freedoms of women but at the same time notes that, notwithstanding those efforts, women continue to be subjected to discrimination in all countries of the world.

The Committee recommends to the Conference that all possible efforts should be made to ensure the proclamation at the Vienna Conference of the principle of the indivisibility and interdependence of human rights, bearing in mind that that principle is the very essence of the Convention on the Elimination of All Forms of Discrimination against Women (General Assembly resolution 34/180).

In addition, CEDAW requests that the World Conference should place the Convention on the same footing as other human rights conventions.

CEDAW further recommends that, in the general discussion on the problem of reservations to human rights instruments, special attention should be paid to the Convention on the Elimination of All Forms of Discrimination against Women, the international human rights treaty to which there is the largest number of reservations.

With respect to the suggestion made in resolution 1992/3 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, CEDAW is of the view that during the World Conference on Human Rights the States parties should raise the question of the validity and legal effect of reservations to the Convention in the context of reservations to other human rights treaties.

CEDAW agrees that a study should be made on the feasibility of drafting optional protocols to the Convention.

In the spirit of its recommendation 19 on violence against women, CEDAW recommends that the Preparatory Committee should consider including among the guidelines for the Conference one to the effect that all special rapporteurs should take into account in their work gender-based discrimination and the various forms of violence against women.

I would be grateful if the suggestions made by CEDAW for the World Conference on Human Rights could be brought to the attention of the Preparatory Committee and followed up by the appropriate procedure".

PART I

Suggestion No. 4

World Conference on Human Rights (1993)

The Committee on the Elimination of Discrimination against Women

Emphasizing the fact that the Charter of the United Nations includes among its purposes and principles international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to sex, and the fact that women are entitled to the full protection of the rights enshrined in the Universal Declaration of Human Rights (General Assembly resolution 217 A (III), annex), the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 39/46, annex), the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex), the Convention on the Rights of the Child (General Assembly resolution 44/25, annex) and other international and regional human rights instruments, in addition to the specific guarantees set forth in the Convention on the Elimination of All Forms of Discrimination against Women (General Assembly resolution 34/180, annex),

Affirming the importance of the efforts undertaken by the United Nations to promote respect for women's human rights and fundamental freedoms,

Recognizing the contribution of the Commission on the Status of Women to the protection of women's human rights and the elimination of discrimination against women,

Concerned that women in all regions continue to be discriminated against in the recognition, exercise and enjoyment of their human rights in public and private life and are subjected to violence,

Requesting that the above-mentioned and other grave violations of women's human rights be addressed with even greater effectiveness by the United Nations programme for the promotion and protection of human rights,

Having reviewed the progress made in the field of human rights since the adoption of the Universal Declaration on Human Rights, and having considered the challenges to the full realization of all human rights of women and men,

1. Recommends to the World Conference on Human Rights that efforts should be made to give effect to the principle recognized in the Proclamation of Tehran, proclaimed at the International Conference on Human Rights in 1968, that human rights are interrelated, interdependent and indivisible, 1/ an

interrelationship that is also reflected in the Convention on the Elimination of All Forms of Discrimination against Women (General Assembly resolution 34/180, annex); and that therefore:

(a) Gender-specific information and analysis should be fully integrated into the implementation of all human rights instruments;

(b) Equal attention should be given to civil, political, economic, social and cultural rights;

(c) Respect should be given to the principle that the promotion and protection of one category of rights should not exempt or excuse States from the promotion and protection of another, nor should religious or other extremism be allowed to deny the human rights of women;

2. Also recommends that efforts should be made to encourage States that have not yet done so to ratify or accede to the Convention on the Elimination of All Forms of Discrimination against Women;

3. Recommends that States parties to the Convention should undertake the necessary reform of their national laws to place them in conformity with their obligations under the Convention;

4. Also recommends that, with regard to the large number and broad scope of the reservations made to the Convention, some of which would appear to give rise to questions concerning their compatibility with the object and purpose of the Convention:

(a) States parties that have entered reservations to the Convention should review their consistency with those entered to all human rights conventions;

(b) States parties should continually review the need for and desirability of their reservations to the Convention with a view to withdrawing them;

(c) States considering ratification of or accession to the Convention should keep the number and scope of reservations to a minimum and should make any reservations as specific as possible;

(d) States parties should give full consideration to lodging objections to reservations entered by States whenever such action is appropriate;

5. Also recommends that States parties should nominate candidates for human rights treaty bodies with a view to achieving a better balance of men and women in all of them;

6. Further recommends that, with a view to placing the Convention on the Elimination of All Forms of Discrimination against Women on the same footing as other human rights conventions:

(a) A study should be prepared on the feasibility of drafting optional protocols;

(b) Steps should be taken to amend the Convention to provide adequate time for meetings by eliminating the limitation set out in article 20;

(c) The servicing of the Committee on the Elimination of Discrimination against Women should be provided by both the Centre for Human Rights and the Division for the Advancement of Women of the United Nations Secretariat, and that the meeting places of the Committee should be adjusted accordingly;

7. Recommends further that, having regard to the Committee's confirmation, in its general recommendation No. 19, on violence against women, 2/ that the Convention's definition of discrimination includes violence:

(a) Measures should be elaborated to enhance international protection against gender-specific violence;

(b) All special rapporteurs should take gender-based discrimination and violence against women into account in their work;

(c) States should be urged to take concrete measures to prevent and respond to violence against women in public and private life;

8. Also recommends that, in order to ensure that concern for women's human rights is fully integrated into the human rights regime, including the work of all treaty bodies, thematic and country rapporteurs and working groups, and experts appointed through the advisory services programme in the areas that fall within their mandates:

(a) Training and advisory services at the national level should include gender-analysis and reporting;

(b) Periodic reviews should be undertaken of the effectiveness of the United Nations human rights machinery in addressing violations of women's human rights;

9. Further recommends that the organizations of the United Nations system should:

(a) Take measures to ensure effective coordination between the United Nations system and international and regional human rights bodies, for review and periodic evaluation of the effectiveness of such measures;

(b) Ensure the provision of adequate financial and human resources for these purposes;

(c) Ensure that international development and financing institutions include, in assessing countries' development efforts, the criterion of women's ability to exercise the rights guaranteed by the Convention;

(d) Recognize the need to increase the participation of NGOs with expertise on the human rights and development issues concerning women in all United Nations activities relating to human rights, including the work of the specialized agencies, where appropriate;

10. Recommends further that the Secretary-General should be requested:

(a) To implement the established goals of a 35 per cent participation rate of women in the Professional staff of the Secretariat and a 25 per cent participation rate of women at the D-1 level and above by 1995;

(b) To take steps to ensure adequate financial and human resources for the work of the Committee on the Elimination of Discrimination against Women;

(c) To provide training in gender issues, including gender-analysis, for personnel concerned with human rights in the United Nations and the United Nations system;

11. Reaffirms that the denial of political, economic, social and cultural rights and the negative effects of structural adjustment programmes in many countries have had an adverse impact on women, which is even further aggravated by the lack of a gender dimension in these programmes and continuance of existing gender discrimination in public and family life, and therefore recommends that States should ensure:

(a) The full realization of political, economic, social and cultural rights;

(b) Integration of women on an equal basis into the development process, including planning, decision-making and implementation;

(c) A reduction of the adverse effects of structural adjustment programmes on the exercise of women's human rights and their ability to secure nutrition, housing, and health care and to generate income;

12. Recommends that States should encourage the development of policies in order to ensure that measures be taken:

(a) To protect women as a vulnerable group in situations of civil strife;

(b) To prevent and respond to abuses against women in situations of international or non-international armed conflict;

(c) To ensure that women participate in the process of mediation and settlement of such conflicts

PART II

ACTION TAKEN BY THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST
WOMEN IN RESPONSE TO RESOLUTION 1992/3 OF THE SUB-COMMISSION ON PREVENTION
OF DISCRIMINATION AND PROTECTION OF MINORITIES

1. The Committee welcomed the suggestion of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, contained in its resolution 1992/3 entitled "Contemporary forms of slavery", requesting the Secretary-General "to seek the views of the Committee on the Elimination of Discrimination against Women and the Commission on the Status of Women on the desirability of obtaining an advisory opinion on the validity and legal effect of reservations to the Convention on the Elimination of All Forms of Discrimination against Women" (see E/CN.4/1993, chap. II, sect. A).

2. The Committee recalled that it had raised the issue of reservations to the Convention on the Elimination of All Forms of Discrimination against Women at its previous sessions and that, at its eleventh session, it had recommended in its general recommendation 20, 2/ inter alia, that, in connection with preparations for the World Conference on Human Rights in 1993, States parties should raise the question of the validity and the legal effect of reservations to the Convention in the context of reservations to other human rights treaties. It had also been recommended that States parties should reconsider such reservations with a view to strengthening the implementation of all human rights treaties. The Committee therefore considered that it must be made clear that its particular concern was to have an opinion that might assist Governments to reconsider their reservations with a view to withdrawing them.

3. The Committee therefore decided that it should support steps taken in common with other human rights treaty bodies to seek an advisory opinion from the International Court of Justice that would clarify the issue of reservations to the human rights treaties and thereby assist States parties in their ratification and implementation of those international instruments. Such an opinion would also help the Committee in its task of considering the progress made in the implementation of the Convention.

Notes

1/ Final Act of the International Conference on Human Rights, Tehran, 22 April to 13 May 1968 (United Nations publication, Sales No. E.68.XIV.2), p.3.

2/ See Official Records of the General Assembly, Forty-seventh Session, Supplement No. 38 (A/47/38), sect. I.



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STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

CONSIDERATION OF THE FINAL OUTCOME OF THE WORLD CONFERENCE, TAKING INTO CONSIDERATION THE PREPARATORY WORK AND THE CONCLUSIONS OF THE REGIONAL MEETINGS

Note by the Secretariat

Addendum

1. The General Assembly, in its resolutions 45/155 and 46/116, "(E)ncourages the Chairman of the Commission on Human Rights, the chairman or other designated members of human rights expert bodies as well as special and thematic rapporteurs and chairmen or designated members of working groups to take part in the work of the Preparatory Committee".
2. Accordingly, the special rapporteurs of the Commission on Human Rights met in Geneva from 20 to 21 April 1993 and have prepared the attached suggestions.

SUGGESTIONS FOR AMENDMENTS TO DOCUMENT A/CONF.157/PC/82 MADE BY CHAIRMEN
OF WORKING GROUPS AND SPECIAL RAPPORTEURS/REPRESENTATIVES/EXPERTS IN THE
FIELD OF SPECIAL PROCEDURES

A. Proposed amendments to specific provisions

Preambular paragraph 2:

Should read as follows: Affirming that the human being is the central subject of human rights and noting that, in order to become the principal beneficiary of these rights, the human being should be able to enforce them through appropriate remedies and be effectively protected in their enjoyment;

Preambular paragraph 6:

Replace the words a common standard of achievement by the words the International Bill of Human Rights.

Principle 1:

First two sentences should read as follows: Human rights are a central element of a world order based on law and justice. Their protection and promotion are essential to the full achievement of the other purposes of the United Nations;

Principle 2:

The first words of the principle should read as follows: The protection and promotion

Principle 3:

Seventh line the words must contribute to the strengthening of the universality of human rights should be replaced by the following words ought to strengthen the universal implementation of human rights standards.

In the line before the last, the words to promote and protect should be replaced by the words to protect and promote

Principle 4:

Should read as follows: The protection and promotion of human rights through procedures evolved by the international community cannot be considered as interference in domestic affairs.

Principle 5:

Last sentence to be deleted.

Principle 8:

First sentence should read as follows: Respect for human rights and for fundamental freedoms for all human beings without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status is a fundamental rule of international human rights law.

Principle 10:

Fifth line the word preferential should be preceded by the words where suitable and appropriate.

Principle 13:

In the first line the words promotion and protection should be replaced by the words protection and promotion

Principle 14:

Principle 14 should be replaced by two new principles:

14. (a) The World Conference recognizes the significant achievement in the codification and progressive development of international human rights standards. The Universal Declaration of Human Rights states a common understanding of the peoples of the world concerning the inalienable and inviolable rights of all members of the human family as referred to in the United Nations Charter and, having become an instrument of international law, constitutes an obligation for the members of the international community.

14. (b) The universal acceptance of the major human rights treaties is imperative, in particular the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention Against Torture, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

Principle 15:

Should read as follows: The administration of justice, including law enforcement and prosecutorial agencies and, especially, an independent judiciary and legal profession, in full conformity with internationally accepted standards, are crucial to the full realization of human rights and indispensable to the processes of democracy and development. It is incumbent upon Governments to make every effort to establish and strengthen the relevant institutions and the training of officials. International organizations are called upon to assist them in these endeavours.

Principle 18:

In the line before the last, replace the words promotion of and respect for by the words protection and promotion of.

Principle 19:

Should read as follows: The United Nations must act effectively to prevent and to bring an end to grave or massive human rights violations, and to this end, make full use of all the instruments at its disposal.

Principle 20:

Last sentence should read as follows: Accordingly, human rights education and the dissemination of information about human rights, both theoretical and practical, are essential functions for promoting and encouraging respect for human rights for all without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and should be undertaken as priority objectives of educational policies at both the national and international levels.

Principle 21:

Last sentence of Principle 21 should read as follows: Governments, with the assistance of the international community should develop, implement and evaluate approaches which aim at improving respect for human rights through the establishment and strengthening of national legislation, institutions and infrastructures which uphold the rule of law, promote human rights training, teaching and education, enhance popular participation and strengthen civil society.

Principle 22:

(Should be deleted).

Principle 23:

In the sixth line the words the promotion and protection should be replaced by the words the protection and promotion

Principle 25:

On the second line, after the words non-governmental organizations add the words and human rights defenders

At the end of Principle 25, continue the sentence by adding the words protected and promoted.

Principle 26:

In the first line delete the words objective and impartial

The last sentence of Principle 26 should read as follows: The freedom of the media must be respected and guaranteed.

Draft programme of Action

(Chapter V. Implementation and Monitoring Methods should come before Chapter I. United Nations System wide action on Human Rights).

CHAPTER I:

Title of old Chapter I should read United Nations integrated approach on Human Rights

Paragraph 1 of Chapter I:

In the first line the words system wide action for should be replaced by the words an integrated approach to

Last sentence of paragraph 1 should be removed and become last sentence of paragraph 6.

Paragraph 2 of Chapter I:

In the first line delete the word Furthermore,

The last sentence of paragraph 2 should read as follows: These organizations should be invited to participate in coordination meetings held within the United Nations system.

Paragraph 4 of Chapter I:

In the fifth line the word universality should be replaced by the words universal acceptance

Last sentence of paragraph 4 should be deleted.

Add new paragraph 4 bis which should read as follows: Any reservations to and declarations about human rights treaties must be fully compatible with the object and purpose of the treaties concerned. The relevant United Nations organs are urged to seize the International Court of Justice, through the appropriate procedural means, whenever so requested by a treaty-monitoring body.

Paragraph 6 of Chapter I:

In the third line after the words in order to add the word coordinate,

(Add last sentence of paragraph 1 as mentioned above).

Paragraph 7 of Chapter I:

In the second line of paragraph 7 the words regional and eventually other offices should be replaced by the words field offices

Add at the end a new sentence which should read as follows: To this end the necessary resources should be made available.

All of paragraph 7 should be removed to be placed before paragraph 10 of Chapter I.

Paragraph 8 of Chapter I:

In the second line after the word facilitating add the words coordination of the

Paragraph 9 of Chapter I:

Add at the end a new sentence which should read as follows: In this regard, the Centre should receive the necessary resources to establish a computerized database as appropriate with a view to facilitating access to and exchange relevant information.

New paragraph 9 bis

After paragraph 9 insert a new paragraph 9 bis which should read as follows: The World Conference notes with alarm the growing disparity between the Human Rights Programme and the human and financial resources allocated to the Centre for Human Rights, which has resulted in an insufficient number of personnel and inadequate conditions of employment. Accordingly the World Conference requests the Secretary-General and the General Assembly to provide substantially increased resources from the regular United Nations budget for the Human Rights Programme and to regularize and improve the terms and conditions of employment of the staff, and requests the Assistant Secretary-General for Human Rights to report annually to the Commission on Human Rights and the Assembly on progress made in making the resources available in order to carry out the Programme of Action.

Paragraph 10 of Chapter I:

In the last line after the word increased add the words and systematic
(RENUMBER ALL PARAGRAPH IN CHAPTER I ACCORDINGLY).

CHAPTER II

In Sub-Chapter A of Chapter II the title should read Racism, Apartheid, Racial Discrimination, Xenophobia and Related Intolerance

CHAPTER IV:

Paragraph 1 of Chapter IV:

In the fourth line replace the words as a matter of the highest priority by the following words to give highest priority to education in human rights and humanitarian law to police, military and prison personnel and to include such education.

CHAPTER V:

Paragraph 2 of Chapter V:

Should be deleted and replaced with the second sentence of paragraph 6.

Paragraph 6 of Chapter V:

In the fifth line after the word monitoring add the words and the assignment of field officers,

Second sentence should read as follows: In cases where these reports reflect a situation of grave and massive violations of human rights, the above-mentioned bodies may request the Secretary-General to bring their reports to the attention of the Security Council in order to address the situation.

Paragraph 8 of Chapter V:

In the second line the words the promotion and protection should be replaced by the words the protection and promotion

In the fifth line after the words coordination of add the words human rights and

Paragraph 10 of Chapter V:

In the second line after the word ensuring add the words publicity for and

Paragraph 12 of Chapter V:

Add at the end of the paragraph the following words or the nationality of the offender. Such persons may not be exempted from criminal liability, either in law or in fact. Victims must be granted reparation, including an enforceable right to compensation.

B. General suggestions for improvement of the document:

- The Principles should be regrouped under a thematic structure.
- The introductory sentence to the Draft Programme of Action should express the idea that the listing as existing in the present document is not exhaustive.
- The thematic sub-division of the Programme of Action should include a separate section on the human rights issues related to refugees and displaced persons.
- In Chapter II, sub-section A, add a separate paragraph at the end on the subject of apartheid.

- In connection with the provisions concerning vulnerable groups, specific provisions should be envisaged for all groups specified in article 2 of the Universal Declaration of Human Rights and for persons infected by the HIV virus.
- Strengthen the language of paragraph 5 of Chapter III and include human rights defenders.
- The subjects mentioned as deserving special consideration should include the following:
 1. the problem of ethnic and religious conflicts and the role of so-called non-governmental entities in such conflicts;
 2. the protection of experts and secretariat staff during field missions.

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CONSIDERATION OF THE FINAL OUTCOME OF THE WORLD CONFERENCE,
TAKING INTO CONSIDERATION THE PREPARATORY WORK AND THE
CONCLUSIONS OF THE REGIONAL MEETINGS

Note by the Secretariat

Addendum

1. The General Assembly, in its resolution 46/116, "(E)ncourages the Chairman of the Commission on Human Rights, the chairman or other designated members of human rights bodies, including the chairmen of bodies established under international human rights instruments or their designated representatives, as well as special rapporteurs and the chairman or designated members of working groups, to participate as observers, as appropriate, in the work of the Preparatory Committee and the Conference".

2. Accordingly, the chairpersons and representatives of the United Nations human rights treaty bodies met in Geneva from 22-23 April 1993 and have prepared the attached suggestions.

WORLD CONFERENCE ON HUMAN RIGHTS
Fourth Meeting of the Preparatory Committee
19 - 30 April 1993

REPORT OF THE MEETING OF THE CHAIRPERSONS
AND REPRESENTATIVES OF THE HUMAN RIGHTS TREATY BODIES
Geneva, 22-23 April 1993

Chaired by: Mrs. Hoda Badran (Egypt)
Rapporteur: Mr. Aqha Shahi (Pakistan)

1. The Chairpersons and their representatives underlined the fact that the treaty régime lies at the very heart of the international human rights legal order. They observed that universal ratification of the principal treaties, by the year 2000, is a goal of the utmost importance and should be accorded priority in any declaration adopted by the World Conference on Human Rights, in Vienna. They noted that since the standards reflected in the principal instruments are, for the most part, already applicable to all States as authoritative interpretations by the international community of the human rights obligations contained in the United Nations Charter, it is entirely appropriate that all States should participate actively in the work of the relevant treaty bodies.
2. The Chairpersons and their representatives emphasized that one of the principal obstacles to the more effective functioning of the treaty system is the lack of resources available to the Centre for Human Rights, which results in a level of servicing which is highly inadequate. They observed that a great number of the proposals that have been made to improve the efficiency and effectiveness of the work of the treaty bodies can not be fully implemented until such time as a major increase in available resources is achieved.
3. The Chairpersons and their representatives urged in the strongest possible terms that the treaty bodies be accorded a role at the World Conference which is consistent with their status as full and indispensable partners in the United Nations human rights system. For this purpose, it is considered essential that the Chairpersons be accorded a separate status which is at the very least equivalent to that of the representatives of United Nations specialized agencies.
4. They welcomed very strongly the proposal to organize a meeting in Vienna, within the framework of the World Conference on Human Rights, of the Chairpersons (or their representatives) of each of the United Nations treaty bodies along with their counterparts from each of the principal bodies existing at the regional level. They urged that the Chairpersons of the ILO and UNESCO experts committees on the application of conventions and recommendations also be invited to participate. The meeting should address a range of substantive issues designed to increase the interaction between human rights bodies at the universal and regional levels.
5. The Chairpersons and their representatives considered the working paper contained in A/CONF.157/PC/82 and recommended that the text should be amended as follows:

Preambular paragraph 6:

Replace the words a common standard of achievement by the words the International Bill of Human Rights.

Principle 8:

The first sentence should read as follows: Respect for human rights and for fundamental freedoms for all human beings without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, including age and disability, is a fundamental rule of human rights law.

Insert the word apartheid in the second sentence before the word xenophobia.

Principle 9:

In the second sentence, following the words the eradication of all forms of, insert cultural and other prejudices and.

Principle 10:

In the first sentence, insert the word or between national and ethnic.

Principle 12:

Reformulate the text as follows:

The World Conference, welcoming the early ratification of the Convention on the Rights of the Child by a large number of States, urges the implementation of the Convention through legislative, administrative and other measures. In all actions concerning children, the best interests of the child should be a primary consideration and the views of the child should be given due weight. National and international mechanisms and programmes should be established for the defence of the rights of the child, in particular the girl child, abandoned children, refugee children and those living on the streets.

Principle 14:

Replace the second sentence with the following:

The World Conference stresses that the universal acceptance of all the major human rights treaties, keeping the level of reservations as low as possible, is imperative for all States.

Principle 16:

In the first sentence, insert the words rights and following Political and the word civil, following the words context of.

Principle 18:

In the first sentence, the words massive violations should be preceded by urgent situations, and followed by or continuing grave; ethnic cleansing should be inserted following genocide; and massive acts of violence against women and children should follow torture.

In the last sentence, promotion of and respect for should be changed to read protection and promotion of.

Principle 19:

Change effective remedies for the victims to read effective and enforceable remedies, including redress and compensation.

The following sentence should be added:

In view of the increasing number of identified victims of torture and other gross violations of human rights, the United Nations should ensure more effective remedies for the physical, psychological and social rehabilitation of such victims.

Principle 20:

In the first sentence, change International Covenant on Economic, Social and Cultural Rights to read other international human rights instruments.

DRAFT PLAN OF ACTION

I. United Nations System-wide action on Human Rights

Paragraph 4 :

In paragraph 4, insert the following text between The World Conference and strongly:

recognizes that the treaty régime lies at the very heart of the international human rights legal order and

Insert the following sentence after the second sentence:

Since the standards reflected in the principal instruments are, for the most part, already applicable to all States as authoritative interpretations by the international community of the human rights obligations contained in the United Nations Charter, it is entirely appropriate that all States should participate actively in the work of the relevant treaty bodies.

Delete the last sentence and insert the following before the full stop:

, including the preparation of an analytical study to be carried out in cooperation with the States concerned aiming to identify such obstacles to ratification.

Paragraph 5:

Add the following new paragraph 5 and renumber the subsequent paragraphs accordingly:

5. In the light of the high and increasing number of reservations to human rights treaties, the World Conference strongly appeals to the existing or potential States parties to such treaties that they reduce such reservations to a minimum, taking into account that any reservations must be fully compatible with the object and purpose of the treaty concerned. A regular review of their continuing need should be undertaken by each State and the outcome of such review should be reflected in the reports submitted to treaty bodies. The World Conference calls upon the General Assembly to mandate the undertaking of an analytical study on this issue, to be

prepared by an independent expert of the Commission or its Sub-Commission.

Paragraph 6:

Add the following to present paragraph 6:

One of the principal obstacles to the more effective functioning of the treaty system is the lack of resources available to the Centre for Human Rights, which results in a level of servicing which is highly inadequate. A great number of the proposals that have been made to improve the efficiency and effectiveness of the work of the treaty bodies can not be fully implemented until such time as a major increase in available resources is achieved.

II. Equality, Dignity and Tolerance

- A. The heading of this section should read Racism, Apartheid, Racial Discrimination, Xenophobia and Related Intolerance and Torture.

New paragraph 4:

Add the following as new paragraph 4:

4. One of the most atrocious violations against human dignity is the act of torture, the result of which destroys the dignity and impairs the capability of the victims to continue their lives or their work. In order to facilitate the work of human rights as described in this document, the United Nations should aim at eradicating the crime of torture on an urgent basis.

B. Minorities and Indigenous Peoples

Paragraph 3:

Add the following at the end of paragraph 3:

Children of minority groups should not be discriminated against in terms of health, education or any other services. They should be allowed to use and learn their own languages within the system of education.

- C. Change the heading of this section to read Equality of Women and their Human Rights

Paragraph 1:

Before the present first sentence, insert the following:

The World Conference considers that equality between men and women and the elimination of existing discrimination against women must continue to be one of the main purposes of action of the United Nations Human Rights Programme.

In the present second sentence, the words Women are encouraged should be replaced by Necessary information should be provided to enable women.

Paragraph 6:

In the first sentence, the following should be inserted between The World Conference and underlines:

appeals for the full recognition of equal civil, political, economic, social and cultural rights of women and

D (new). The Rights of the Child

Add new point D as follows:

1. The World Conference urges that measures be taken to reach targets set at the World Summit for Children in September 1990, particularly in regard to reducing child mortality and increasing universal access to basic education.

2. Measures to ensure the protection of children in armed conflicts should be taken. Humanitarian norms should be enforced to facilitate assistance to children in war zones. Children should not be recruited as soldiers. Those traumatized by war should receive adequate aftercare and rehabilitation.

3. Economic reforms should include social buffers protecting the rights of the child. Exploitation of children should be actively combatted. Effective measures should be taken against harmful child labour and child prostitution.

III. Cooperation, Development and Strengthening of Human Rights

Insert the following new paragraphs 1 and 2 and renumber the subsequent paragraphs accordingly:

1. Economic, social and cultural rights are being denied on a massive scale as is demonstrated by the fact that one person in every five in the world is afflicted by poverty, hunger, disease, illiteracy and insecurity. In addition, the neglect of these rights can undermine democracy and provoke massive internal and external flows of peoples. In response to this situation, the World Conference calls upon all Governments, as appropriate, to take the following measures designed to underline their acceptance of economic, social and cultural rights as human rights: (i) ratification of the International Covenant on Economic, Social and Cultural Rights, (ii) the identification of benchmarks or minimum safety nets in relation to each of the basic economic and social rights, and (iii) the establishment at the national level of appropriately tailored means by which economic and social rights can be vindicated by individuals and groups.

2. The World Conference calls upon the international financial institutions and other relevant international bodies to contribute to the efforts made by States to ensure the full realizations of all human rights.

Paragraph 4:

Insert in the last sentence of present paragraph 4, following the words structural adjustment and human rights, the following:

with particular attention that structural adjustment would not have a negative impact on vulnerable groups.

Paragraph 6:

The last sentence of present paragraph 6 should be reformulated as follows:

Work should also be encouraged, drawing on the expertise of the organs and agencies of the United Nations system, to develop a system of indicators for measuring progress in the realization of economic, social and cultural rights.

IV. Human Rights EducationParagraph 2:

Insert equality to follow the words focus on.

New paragraph 5:

Add new paragraph 5 to read as follows:

5. Further to the efforts mentioned above in paragraphs 1-4 regarding the creation of general awareness about human rights in all its aspects, the United Nations should ensure that the special education needed concerning the international human rights standards and their application is provided to special groups such as law enforcement personnel, police and the health profession.

V. Implementation and Monitoring MethodsNew Paragraph 3:

Insert the following text as new paragraph 3 and renumber the subsequent paragraphs accordingly:

3. The World Conference emphasizes that States which have ratified, or acceded to, international human rights treaties must abide by all of the relevant obligations, including submitting their reports on time and responding, to the greatest extent possible, to concerns expressed by the relevant treaty supervisory bodies.

Paragraph 3:

In present paragraph 3, reformulate the words that they initiate steps to read that they continue to take steps; and place the words taking into account the fact with the words and study the suggestion.

Paragraph 4:

In present paragraph 4, delete the last sentence.

Paragraph 5:

Insert, as a new penultimate sentence in present paragraph 5, the following:

The World Conference recommends that the views and recommendations expressed by the treaty bodies in relation to individual communications should be fully respected.

Paragraph 6:

Delete the words, at the end of present paragraph 6, when they threaten international peace and security.

Paragraph 12:

In present paragraph 12, insert torture after the words crimes against humanity.
